Remarks:

Regarding the claims:

Claims 1-10 are pending. No amendments to the claims are entered in this response.

Regarding the rejection of claims 1-10 under 35 USC 103(a) as allegedly being unpatentable in view of U.S. Patent No. 6,669,763 to Ghodoussi et al. (hereinafter "Ghodoussi") in view of EP 0392316 to Leecock:

Applicants respectfully traverse the Examiner's rejection of the indicated claims in view of Ghodoussi and Leecock.

Prior to discussing the merits of the Patent Office's position, the undersigned reminds the Patent Office that the determination of obviousness under § 103(a) requires consideration of the factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1 [148 USPQ 459] (1966): (1) the scope and content of the prior art; (2) the differences between the claims and the prior art; (3) the level of ordinary skill in the pertinent art; and (4) secondary considerations, if any, of nonobviousness. *McNeil-PPC, Inc. v. L. Perrigo Co.*, 337 F.3d 1362, 1368, 67 USPQ2d 1649, 1653 (Fed. Cir. 2003). See also *KSR International Co. v. Teleflex Inc.*, 82 USPQ2D 1385 (U.S. 2007).

A methodology for the analysis of obviousness was set out in *In re Kotzab*, 217 F.3d 1365, 1369-70, 55 USPQ2d 1313, 1316-17 (Fed. Cir. 2000) A critical step in analyzing the patentability of claims pursuant to section 103(a) is casting the mind back to the time of invention, to consider the thinking of one of ordinary skill in the art, guided only by the prior art references and the then-accepted wisdom in the field. Close adherence to this methodology is especially important in cases where the very ease with which the invention can be understood may prompt one "to fall victim to the insidious effect of a hindsight syndrome wherein that which only the invention taught is used against its teacher."

It must also be shown that one having ordinary skill in the art would reasonably have expected any proposed changes to a prior art reference would have been successful.

Amgen, Inc. v. Chugai Pharmaceutical Co., 927 F.2d 1200, 1207, 18 USPQ2d 1016, 1022 (Fed. Cir. 1991); In re O'Farrell, 853 F.2d 894, 903-04, 7 USPQ2d 1673, 1681 (Fed. Cir. 1988); *In re Clinton*, 527 F.2d 1226, 1228, 188 USPQ 365, 367 (CCPA 1976). "Both the suggestion and the expectation of success must be founded in the prior art, not in the applicant's disclosure." *In re Dow Chem. Co.*, 837 F.2d 469, 473, 5 USPQ2d 1529, 1531 (Fed. Cir. 1988).

The Patent Office alleges that Ghodoussi teaches all of the features of the present claims except a cleaning composition being disposed on a sheet material (see page 3 of the Office Action). The Patent Office introduces Leecock as allegedly teaching a wipe comprising a non-woven substrate impregnated with a liquid polish composition. The Patent Office alleges that it would have been obvious to combine the cleaning composition of Ghodoussi with the method of production of Leecock to form a wipe that provides a layer that is water-resistant to reduce the formation of water stains on wood surfaces in an affordable and convenient fashion such as a disposable wet wipe. Applicant respectfully disagree with the allegations.

Independent claim 1 requires a moist wipe for cleaning a wooden surface, the wipe comprising a sheet material pre-moistened with a liquid composition, being an aqueous emulsion comprising from 0.1 to 5% of a paraffin wax, no silicone compounds or silicone compounds in an amount of less than 0.5% and water in an amount of 50% to 98% in each case by weight of the total weight of the liquid composition.

The formulation taught by Ghodoussi does not teach or suggest the liquid composition used in the claimed moist wipe. None of the claims pending in the present application call for the presence of a surfactant in the formulation. However, Ghodoussi only discloses compositions containing a surfactant (see col.4, lines 8-12 and lines 58-61 and all of the examples in Ghodoussi).

At best, claim 3 of the present application requires "a carrier and/or a cleaner, an aliphatic C1-4 alcohol." However, this alcohol is preferable ethanol, which is not the same as or

remotely similar to the non-ionic surfactant in the form of an alkyl alcohol having 4-20 carbon atoms as required in the compositions of Ghodoussi (col.8, lines 1-7 of Ghodoussi).

Thus, the present claims do not read on the formulation of Ghodoussi as alleged by the Patent Office because Ghodoussi teaches formulations that only include surfactant which is not required by the present claims. Applicants submit that the Patent Office is selectively picking overlapping features taught in Ghodoussi and selectively disregarding non-overlapping features required in the compositions of Ghodoussi, instead of considering and relying on the overall teachings of Ghodoussi in their entirety. Such a reading of Ghodoussi by the Patent Office is improper and should be reconsidered and withdrawn by the Examiner. Therefore, the liquid composition as recited in claim 1 is not taught or suggested by Ghodoussi.

As set forth in the previous Amendment dated January 24, 2008, Leecock discloses wipes comprising between 0.8% and about 12.1% silicone containing compounds and the examples of Leecock contain 2.48% to 4.96% silicone containing compounds. In contrast, the moist wipe of claim 1 comprises an aqueous emulsion that comprises either no silicone or silicone compounds in amounts less that 0.5%. There is no disclosure in Leecock upon which one skilled in the art would adjust the silicone containing materials to lower amounts in view of the teachings of Leecock that organic polysiloxanes are said to provide ease of application due primarily to the presence of the low viscosity material and other properties (see page 3, lines 51-56 of the Leecock).

Thus, Leecock fails to remedy the deficiencies of Ghodoussi because Leecock fails to teach or suggest a solution of providing a wipe with no silicone material or less than 0.5% silicone material. In fact, Leecock teaches away from the present compounds because the properties of Leecock's wipes attributable to the organic polysiloxanes. Thus, considering the differences between Ghodoussi and Leecock and the present invention and resolving the level of skill in the art of Leecock which requires silicone compounds, i.e. the organic polysiloxanes, the present invention which includes either no silicone

compounds or less than 0.5% of such compounds is not obvious over Ghodoussi and Leecock, taken singly or in combination.

Applicants further submit that modifying Ghodoussi with Leecock would not lead to the present invention because one of ordinary skill in the art would have had to (a) take the formulation of Ghodoussi and (b) elect, without any motivation, to remove the surfactant therefrom, then further note the disclosure of Leecock and (c) disregard the teaching of using high levels of silicone-containing compounds without the motivation to do so, but still (d) combine the teachings of these documents and pre-moistening a wipe with this surfactant-free and lower silicone formulation to produce a wipe falling that reads on present claim 1. Applicants submit that one of ordinary skill in the art would not have taken these above-identified steps to arrive at and achieve the moist wipe required by claim 1.

It is Applicants position that it is quite clear that considered, in their entireties, individually and/or jointly, both Ghodoussi and Leecock fail to teach or suggest the moist wipe for cleaning a wooden surface, wherein the wipe comprising a sheet material pre-moistened with a liquid composition, being an aqueous emulsion comprising from 0.1 to 5% of a paraffin wax, no silicone compounds or silicone compounds in an amount of less than 0.5% required by claim 1.

Because these features of independent claim 1 are not taught or suggested by Ghodoussi and Leecock, taken singly or in combination, these references would not have rendered the features of claims 1-10 obvious to one of ordinary skill in the art.

In view of the foregoing, reconsideration and withdrawal of this rejection are respectfully requested.

Should the Examiner in charge of this application believe that telephonic communication with the undersigned would meaningfully advance the prosecution of this application,

they are invited to call the undersigned at their earliest convenience. The early issuance of a *Notice of Allowability* is solicited.

PETITION FOR EXTENSION OF TIME

The applicant respectfully petitions for a two-month extension of time in order to permit for the timely entry of this response. The Commissioner is hereby authorized to charge the fee to Deposit Account No. 14-1263 with respect to this Petition.

CONDITIONAL AUTHORIZATION FOR FEES

Should any further fee be required by the Commissioner in order to permit the timely entry of this paper, the Commissioner is authorized to charge any such fee to Deposit Account No. 14-1263.

Respectfully Submitted;

Andrew N. Parfomak — 16 Sept 2008

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CERTIFICATION OF TELEFAX TRANSMISSION:

I hereby certify that this paper is being telefax transmitted to the US Patent and Trademark Office to telefax number: 571-272-8300 on the date shown below:

Allyson Ross — 16 Sept. 2008

Allyson Ross

Date

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